

AGENDA  
CITY OF GRAPEVINE  
BRIEFING SESSION  
BOARD OF ZONING ADJUSTMENT  
MONDAY, JANUARY 7, 2019, 6:00 P.M.  
PLANNING AND ZONING CONFERENCE ROOM  
SECOND FLOOR – CITY HALL  
200 SOUTH MAIN STREET  
GRAPEVINE, TEXAS 76051

I. CALL TO ORDER

II. BRIEFING SESSION

- A. Board of Zoning Adjustment to conduct a briefing session to discuss items scheduled to be heard in the January 7, 2019 public hearing.

III. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE OFFICE OF DEVELOPMENT SERVICES AT (817) 410-3158 AT LEAST 24 HOURS IN ADVANCE. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551.001 et seq. ACTS OF THE 1993 TEXAS LEGISLATURE, THE BOARD OF ZONING ADJUSTMENT BRIEFING SESSION AGENDA WAS PREPARED AND POSTED ON THIS THE 31ST DAY OF DECEMBER 2018 AT 5:00 P.M.

  
ALBERT TRIPLETT  
PLANNER II

AGENDA  
CITY OF GRAPEVINE  
BOARD OF ZONING ADJUSTMENT MEETING  
MONDAY, JANUARY 7, 2019, 6:15 P.M.  
CITY HALL COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
SECOND FLOOR – CITY HALL  
200 SOUTH MAIN STREET  
GRAPEVINE, TEXAS 76051

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARING

- A. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA18-09 submitted by Keith Barnes, for property located at 426 East Texas Street and consideration of same.
- B. Board of Zoning Adjustment to conduct a public hearing relative to Board of Zoning Adjustment Case BZA18-10 submitted by Neal Cooper, for property located at 620 Estill Street and consideration of same.

IV. NEW BUSINESS

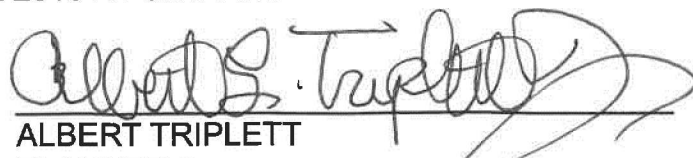
Board of Zoning to consider 2019 Meeting Agenda Schedule, and take any necessary action.

- V. Board of Zoning Adjustment to consider the minutes of the October 1, 2018 meeting and take any necessary action.

VI. ADJOURNMENT

IF YOU PLAN TO ATTEND THIS PUBLIC HEARING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CONTACT THE OFFICE OF DEVELOPMENT SERVICES AT (817) 410-3158 AT LEAST 24 HOURS IN ADVANCE. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551.001 et seq. ACTS OF THE 1993 TEXAS LEGISLATURE, THE BOARD OF ZONING ADJUSTMENT MEETING AGENDA WAS PREPARED AND POSTED ON THIS THE 31ST DAY OF DECEMBER 2018 AT 5:00 P.M.

  
ALBERT TRIPLETT  
PLANNER II

## **MEMORANDUM**

## **DEVELOPMENT SERVICES**

MEMO TO: BOARD OF ZONING ADJUSTMENT

FROM: SCOTT WILLIAMS, DIRECTOR DEVELOPMENT SERVICES \  
BUILDING OFFICIAL  
RON STOMBAUGH, ASSISTANT DIRECTOR OF DEVELOPMENT  
SERVICES  
ALBERT L. TRIPLETT JR, PLANNER II

SUBJECT: BOARD OF ZONING ADJUSTMENT CASE #BZA18-09  
426 EAST TEXAS STREET

MEETING DATE: MONDAY, JANUARY 7, 2019

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### **RECOMMENDATION:**

Staff recommends the Board of Zoning Adjustment **approve** the following special exception to the Grapevine Comprehensive Zoning Ordinance 82-73 for property located at 426 East Texas Street, platted as Lot C, Rawls & Dalton Subdivision as follows:

**Section 43.E.3, Nonconforming Uses and Structures allows the Board of Zoning Adjustment to approve the remodeling and/or enlargement of a nonconforming use.**

The applicant is requesting a special exception to allow the existing residential structure to remain as developed along with an expansion as shown on the plot plan.

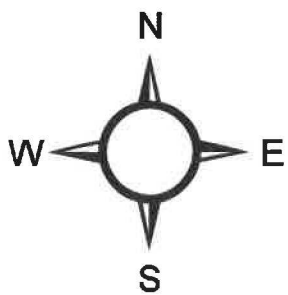
### **SPECIAL CONDITION:**

Staff finds that a special condition exists for the requested special exception. Specifically, the subject site is an existing developed lot, and the existing structure was built in 1947 predating the City's first zoning ordinance adopted in 1955. Currently and as proposed the site is noncompliant with the current Zoning Ordinance (82-73) relative to the required 15-foot side yard setback adjacent to the east property line. The proposed expansion does not exacerbate the existing side yard setback adjacent to South Dooley Street of approximately thirteen-feet (13').

### **BACKGROUND INFORMATION:**

The applicant intends to expand the existing dwelling from approximately 1,590-square feet, to approximately 3,283 square feet by adding 1,693-square feet to the west and south elevations of the dwelling which includes an attached garage and additional living space in the rear yard adjacent to the south property line, along with additional living space in the side yard adjacent to the west property line. A detached two car garage is also proposed in the rear yard. On July 25, 2018 and November 21, 2018 the Historic Preservation Commission approved CA18-72 and CA18-72(b) to allow for improvements on the subject site for the proposed expansion and including a detached garage. The application was submitted by Keith Barnes on behalf of property owner Dan Bock.

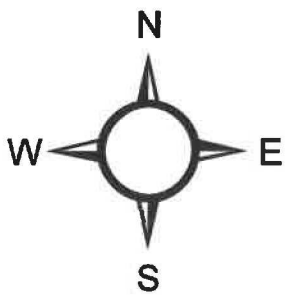
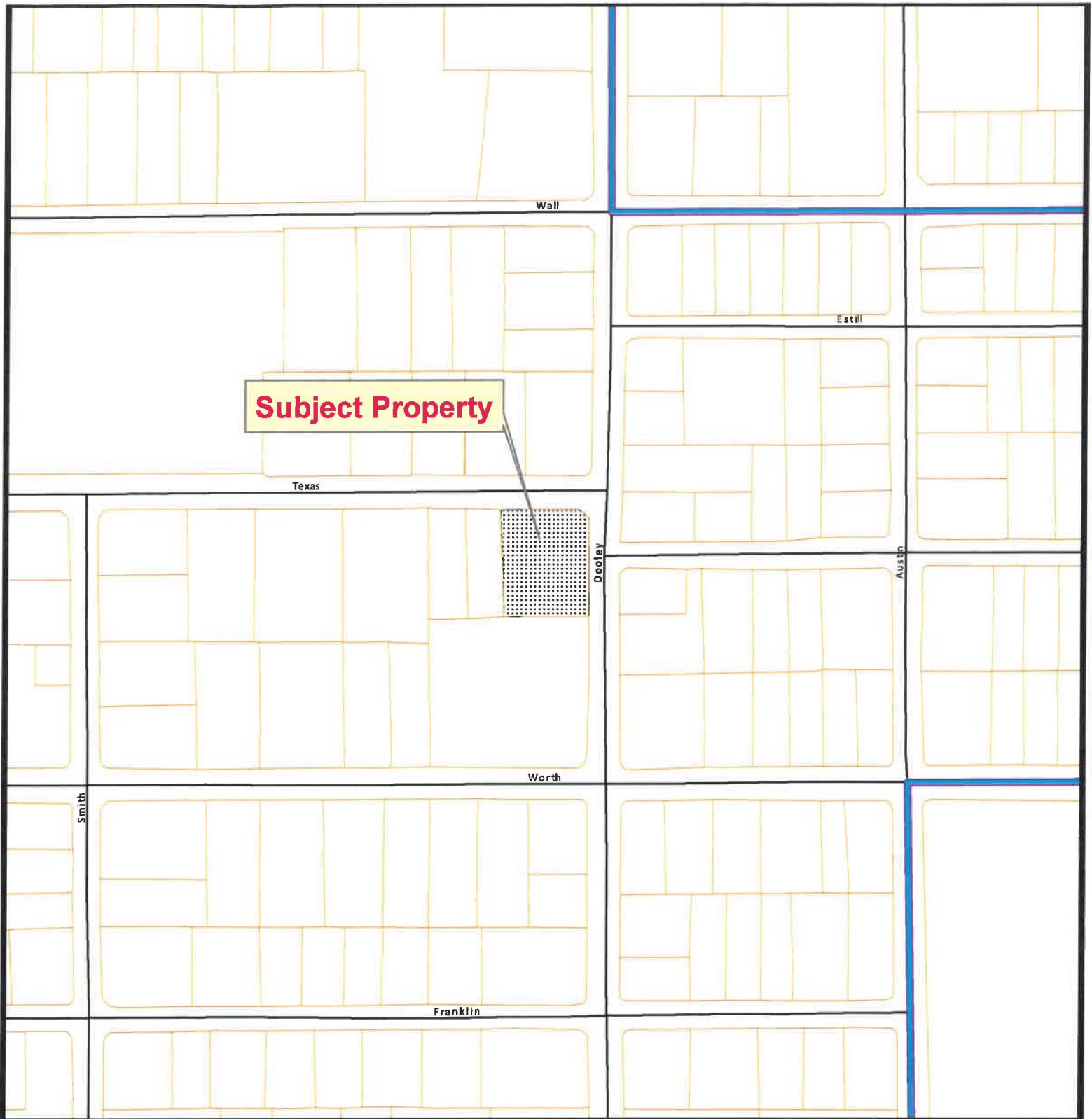




**BZA18-09**  
**426 EAST TEXAS STREET**

1 inch = 200 feet





**BZA18-09**  
**426 EAST TEXAS STREET**

1 inch = 200 feet

NOV 29 2018

BZA 18-09

18-4483

**CITY OF GRAPEVINE  
BOARD OF ZONING ADJUSTMENT APPLICATION**

HL 13-01

**1. APPLICANT:**

NAME: KEITH BARNES Briarpath Construction  
ADDRESS: 20 RIDGEWOOD DRIVE  
CITY/STATE: TROPHY CLUB, TEXAS ZIP: 76262  
HOME: — WORK: 469-766-8421 MOBILE: 469-766-8426  
FAX: — E-MAIL: KBARNES@BRIARPATH.NET

**2. PROPERTY OWNER(S):**

NAME: DAN BOCK  
ADDRESS: 5125 WHISTLER DRIVE  
CITY/STATE: FT. WORTH, TX 76133 ZIP: —  
HOME: — WORK: 817-454-1998 FAX: —

**3. LEGAL DESCRIPTION (SUBJECT PROPERTY):**

STREET ADDRESS, LOT, BLOCK AND SUBDIVISION NAME OF THE SUBJECT PROPERTY:  
**(Please attach Survey of the Subject Property)**

ADDRESS: 426 E. TEXAS ST.  
LOT: C BLOCK: — SUB-DIVISION: RAWLS & DALTON ADDITION

**4. LIST THE PERTINENT SECTION(S) OF THE ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE AMOUNTS BEING REQUESTED. IF NECESSARY USE A SEPARATE SHEET:**

**Section 43.E.3, Nonconforming Uses and Structures allows the Board of Zoning Adjustment to approve the remodeling and/or enlargement of a nonconforming use.**  
The applicant is requesting a special exception to allow the existing residential structure to remain as developed along with an expansion as shown on the plot plan.

5. STATE THE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE(S) OR SPECIAL EXCEPTION(S) YOU ARE REQUESTING. EXAMPLES OF SPECIAL CONDITIONS ARE: HILLS, VALLEYS, CREEKS, POWER POLES, ELEVATIONS, IRREGULAR LOT OR TRACT SHAPES, ETC. THE BOARD OF ZONING ADJUSTMENT MUST DETERMINE A SPECIAL CONDITION OR CONDITIONS EXIST(S) BEFORE MAKING A MOTION TO APPROVE A REQUEST. IF IT IS DETERMINED THAT NO SPECIAL CONDITION EXISTS, THE MOTION MUST BE TO DENY THE REQUEST.

THE HOUSE WAS BUILT IN 1947 (POSSIBLY EARLIER) BEFORE THE 15' SETBACK ORDINANCE WAS IMPLEMENTED. THE PLANNED ADDITION IS BEING DONE PAST THE 15' SETBACK SO IT WILL BE COMPLIANT. WE SIMPLY NEED THE EXISTING HOUSE TO BE GRANDFATHERED TO BE COMPLIANT.

6. EXPLAIN ANY UNIQUE CIRCUMSTANCES, IF APPLICABLE, NOT CONSIDERED BY THE ZONING ORDINANCE. EXAMPLES: (1) IF THE GRAPEVINE CITY COUNCIL APPROVED A PLAT PRIOR TO PRESENT ZONING ORDINANCE REQUIREMENTS; OR (2) THE ORDINANCE WAS AMENDED OR A POLICY CHANGE WAS ADOPTED AFTER INITIATION OF THE PLANS CHECK PROCESS FOR A BUILDING PERMIT OR OTHER PHASE OF THE DEVELOPMENT PROCESS.

THE ORIGINAL STRUCTURE WAS BUILT BEFORE THE CURRENT ORDINANCE WAS PUT INTO PLACE.

7. ATTACH A DETAILED DIAGRAM OF THE SITE DRAWN TO SCALE, AND ANY OTHER DRAWINGS OR PHOTOGRAPHS NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS, AND THE VARIANCE(S) REQUESTED. THE REQUESTED VARIANCE(S) SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.)



**THE DEVELOPMENT SERVICES STAFF WILL DETERMINE THE AGENDA FOR EACH OF THE PUBLIC HEARING DATES. BASED ON THE SIZE OF THE AGENDA, YOUR APPLICATION MAY BE RESCHEDULED TO A LATER DATE.**

APPLICANT (PRINT) KEITH BARNES (GC)

APPLICANT SIGNATURE Keith Barnes

OWNER (PRINT) DAN BORK

OWNER SIGNATURE Daniel B Bork

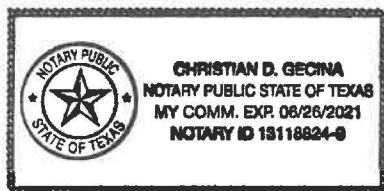
The State of Texas

County of Tarrant

Before me Christian D. Gecina on this day personally appeared Keith Barnes known to me (or proved to me on the oath of n/a or through TX DL (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29<sup>th</sup> day of November, A.D. 2018.

SEAL



[Signature]  
Notary Signature

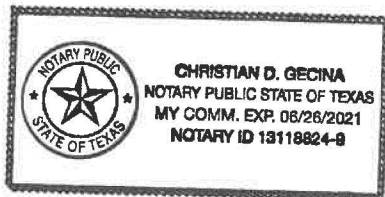
The State of Texas

County of Tarrant

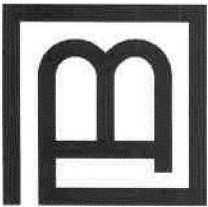
Before me Daniel Book Christian D. Gecina on this day personally appeared Daniel Book known to me (or proved to me on the oath of n/a or through TX DL (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29<sup>th</sup> day of November, A.D. 2018.

SEAL



[Signature]  
Notary Signature



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and subdivision  
indicated on this plan  
only. Use on any other  
site is prohibited.

Scott@buchanandesignstudio.com

Back Residence  
426 E. Texas St.  
Grapevine, TX 76051

Revision

10.16.18

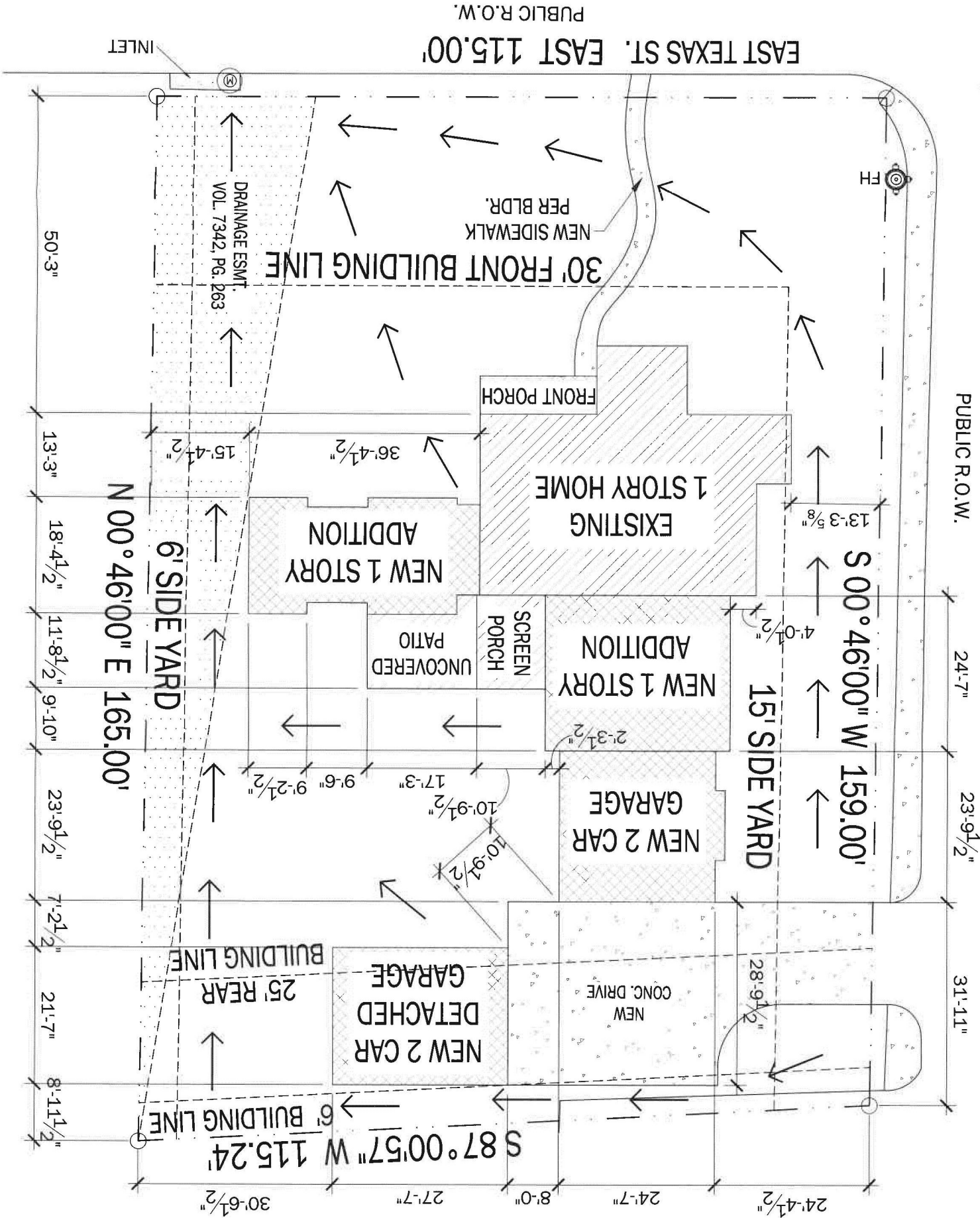
11.9.18

Scale:  
11X17 SHEET: 1/8"=1'-0"  
24X36 SHEET: 1/4"=1'-0"

81.27.8

Site Plan

Site



**LOT COVERAGE CALCULATIONS**  
MAIN HOUSE WITH PORCHES - 3668 SQ. FT.  
UNCOVERED DECK - 210 SQ. FT.  
DRIVEWAY - 303 SQ. FT.  
SIDEWALK - 175 SQ. FT.

TOTAL COVERED AREA - 5456 SQ. FT.  
TOTAL LOT SQ. FT. - 18628 SQ. FT.  
PERCENTAGE OF COVERAGE AREA - 29.2%

29 E. TEXAS STREET  
C 107  
THE RAWLINS AND DALTON SUBDIVISION  
SCALE: 1/8"=1'-0"



## **MEMORANDUM**

## **DEVELOPMENT SERVICES**

MEMO TO: BOARD OF ZONING ADJUSTMENT

FROM: SCOTT WILLIAMS, DIRECTOR DEVELOPMENT SERVICES \  
BUILDING OFFICIAL  
RON STOMBAUGH, ASSISTANT DIRECTOR OF DEVELOPMENT  
SERVICES  
ALBERT L. TRIPLETT JR, PLANNER II

SUBJECT: BOARD OF ZONING ADJUSTMENT CASE #BZA18-10  
620 ESTILL STREET

MEETING DATE: MONDAY, JANUARY 7, 2019

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### **RECOMMENDATION:**

Staff recommends the Board of Zoning Adjustment **approve** the following variances to Grapevine Comprehensive Zoning Ordinance 82-73 for property located 620 Estill Street, platted as Lot 4, Block 103, College Heights Addition as follows:

**Section 15.F.2., “R-7.5” Single Family District, Density Requirements, requires a minimum lot area of 7,500 square feet.**

The applicant is requesting a variance of 500-square feet, and if approved by the Board would allow a lot area of 7,000 square feet for the existing lot.

**Section 15.G.4., “R-7.5” Single Family District, Area Regulations requires a minimum lot width of 65-feet.**

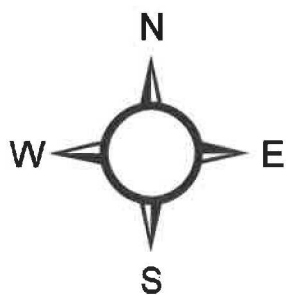
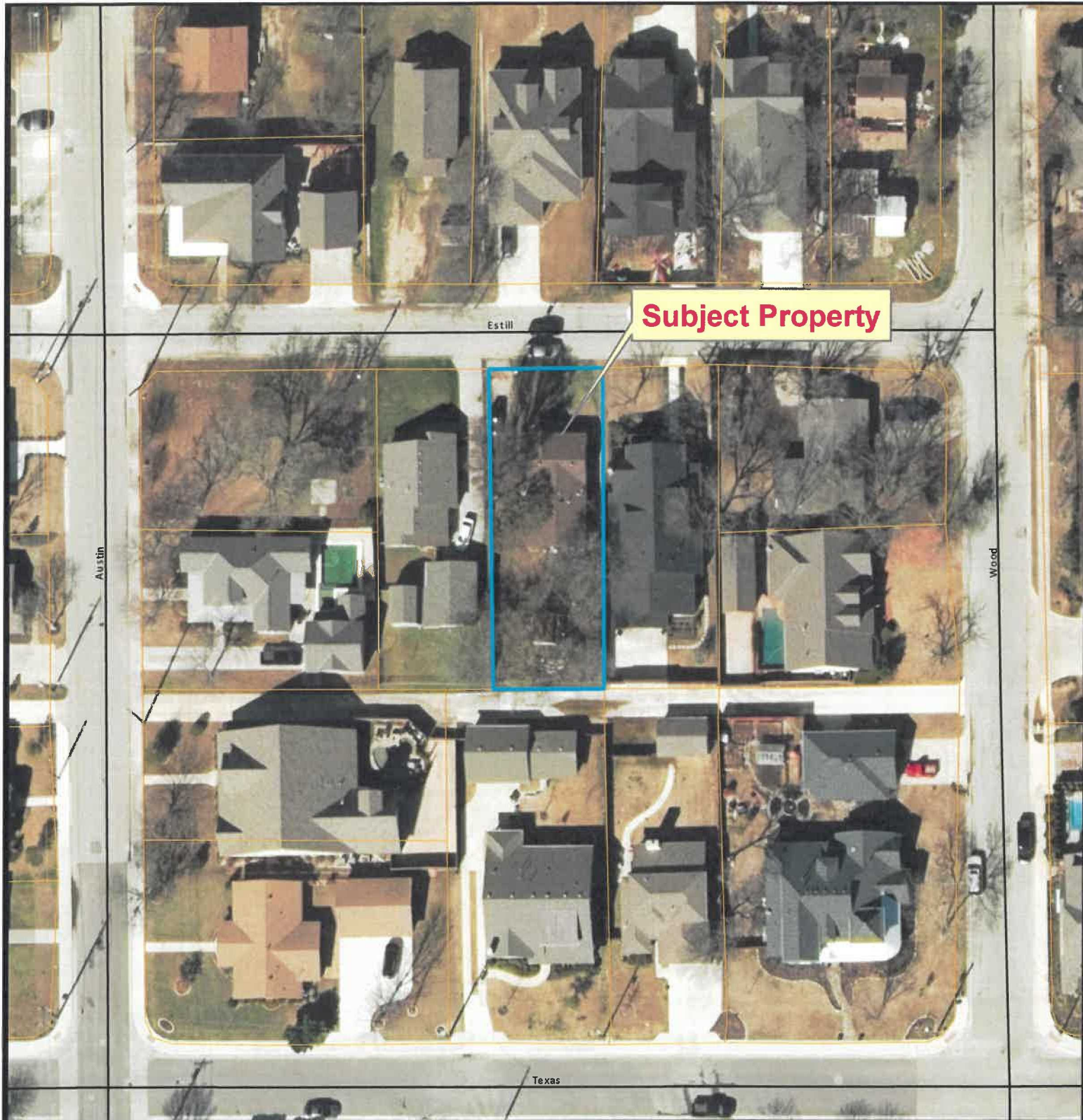
The applicant is requesting a variance of fifteen-feet to this requirement and if approved by the Board would allow a lot width of 50-feet for the existing lot.

### **SPECIAL CONDITION:**

Staff finds that a special condition exists for the variances requested. Specifically, the lot was originally platted in 1921 predating the City's first zoning ordinance adopted in 1955. Developed property and right-of-way exist to the east, west and north respectively, eliminating the possibility to expand the site to meet the area and width requirements.

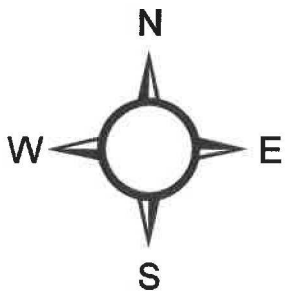
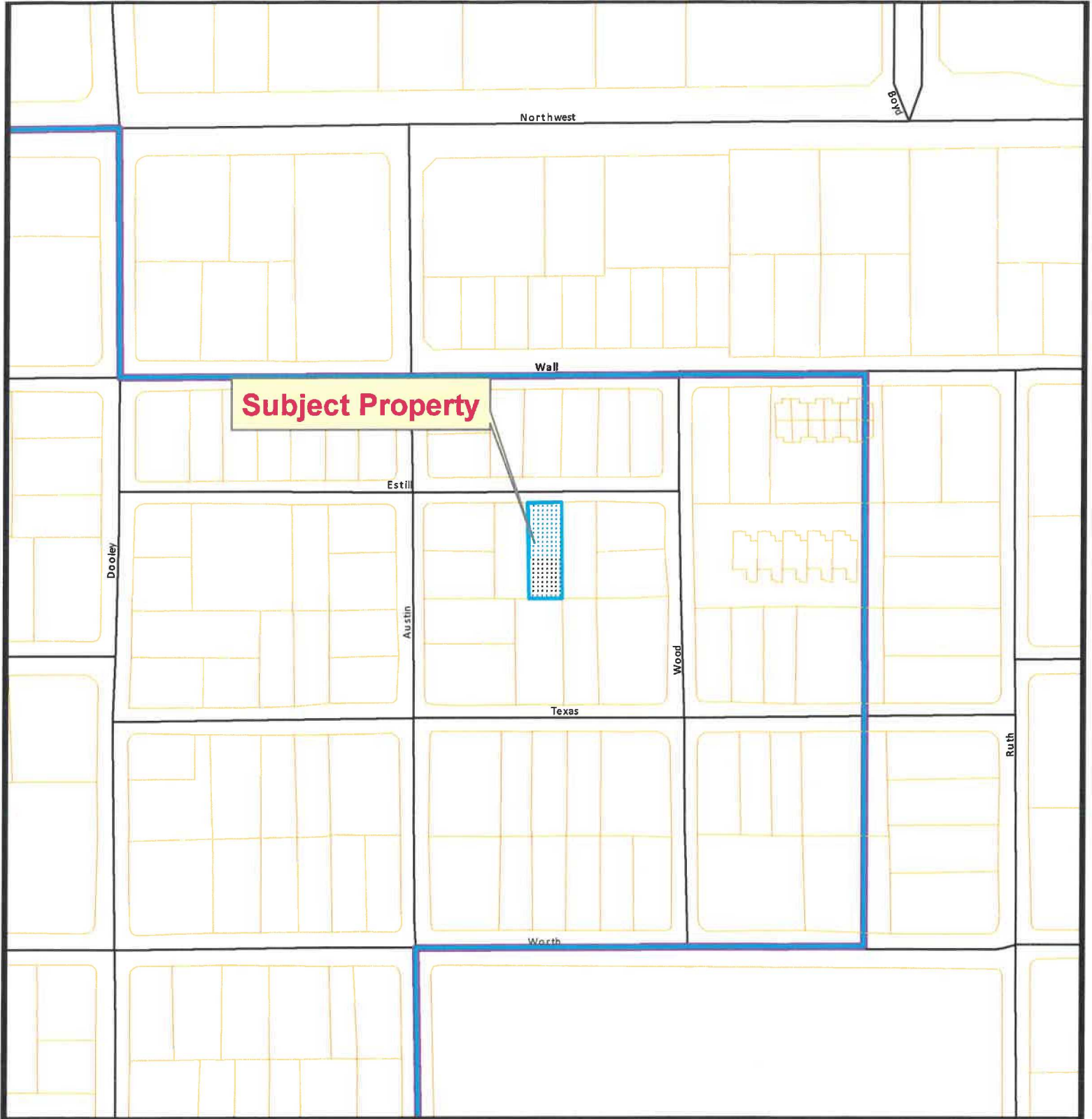
### **BACKGROUND INFORMATION:**

The owner intends to expand the existing single story dwelling from approximately 934-square feet, to a two-story 3,648 square foot dwelling, by adding 2,714 square feet to the dwelling within the side and rear yards adjacent to the east, west and south property lines respectively. The proposed expansion includes a covered patio and attached garage south of the existing dwelling in the rear yard. Access to the garage will be from an alley adjacent to the rear yard and south property line. The application was submitted by Neal Cooper.



1 inch = 60 feet

**BZA18-10**  
**620 ESTILL STREET**



**BZA18-10**  
**620 ESTILL STREET**

1 inch = 200 feet



# CITY OF GRAPEVINE BOARD OF ZONING ADJUSTMENT APPLICATION

**1. APPLICANT:**

NAME: NEAL COOPER  
 ADDRESS: 404 E WALL ST  
 CITY/STATE: GRAPEVINE, TX 76051 ZIP: \_\_\_\_\_  
 HOME: \_\_\_\_\_ WORK: 817-727-3467 MOBILE: 214-455-4502  
 FAX: \_\_\_\_\_ E-MAIL: NEAL@COPPERSTREETHOMES.COM

**2. PROPERTY OWNER(S):**

NAME: COPPER STREET HOMES LLC  
 ADDRESS: P.O. Box 1025  
 CITY/STATE: GRAPEVINE, TX ZIP: 76099  
 HOME: \_\_\_\_\_ WORK: 817-727-3467 FAX: \_\_\_\_\_

**3. LEGAL DESCRIPTION (SUBJECT PROPERTY):**

STREET ADDRESS, LOT, BLOCK AND SUBDIVISION NAME OF THE SUBJECT PROPERTY:  
(Please attach Survey of the Subject Property)

ADDRESS: 620 ESTILL  
 LOT: 4 BLOCK: 103 SUB-DIVISION: COLLEGE HEIGHT ADDITION

**4. LIST THE PERTINENT SECTION(S) OF THE ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCE AMOUNTS BEING REQUESTED. IF NECESSARY USE A SEPARATE SHEET:**

**Section 15.F.2., "R-7.5" Single Family District, Density Requirements, requires a minimum lot area of 7,500 square feet.** The applicant is requesting a variance of 500-square feet, and if approved by the Board would allow a lot area of 7,000 square feet for the existing lot.

**Section 15.G.4., "R-7.5" Single Family District, Area Regulations requires a minimum lot width of 65-feet.** The applicant is requesting a variance of fifteen-feet to this requirement and if approved by the Board would allow a lot width of 50-feet for the existing lot.

5. STATE THE GROUNDS FOR THE REQUEST AND DETAIL ANY SPECIAL CONDITIONS WHICH CAUSE HARDSHIPS THAT IN YOUR OPINION JUSTIFY THE VARIANCE(S) OR SPECIAL EXCEPTION(S) YOU ARE REQUESTING. EXAMPLES OF SPECIAL CONDITIONS ARE: HILLS, VALLEYS, CREEKS, POWER POLES, ELEVATIONS, IRREGULAR LOT OR TRACT SHAPES, ETC. THE BOARD OF ZONING ADJUSTMENT MUST DETERMINE A SPECIAL CONDITION OR CONDITIONS EXIST(S) BEFORE MAKING A MOTION TO APPROVE A REQUEST. IF IT IS DETERMINED THAT NO SPECIAL CONDITION EXISTS, THE MOTION MUST BE TO DENY THE REQUEST.

LOT WAS PLOTTED PRIOR TO THE R-7.5 ZONING.

6. EXPLAIN ANY UNIQUE CIRCUMSTANCES, IF APPLICABLE, NOT CONSIDERED BY THE ZONING ORDINANCE. EXAMPLES: (1) IF THE GRAPEVINE CITY COUNCIL APPROVED A PLAT PRIOR TO PRESENT ZONING ORDINANCE REQUIREMENTS; OR (2) THE ORDINANCE WAS AMENDED OR A POLICY CHANGE WAS ADOPTED AFTER INITIATION OF THE PLANS CHECK PROCESS FOR A BUILDING PERMIT OR OTHER PHASE OF THE DEVELOPMENT PROCESS.

LOT WAS PLOTTED PRIOR TO THE R-7.5 ZONING.

7. ATTACH A DETAILED DIAGRAM OF THE SITE DRAWN TO SCALE, AND ANY OTHER DRAWINGS OR PHOTOGRAPHS NECESSARY TO HELP EXPLAIN THE CASE TO THE BOARD. SHOW ON THE DIAGRAM ALL EASEMENTS, BUILDING LINES, ENCROACHMENTS, AND THE VARIANCE(S) REQUESTED. THE REQUESTED VARIANCE(S) SHOULD BE QUANTIFIED BY AN APPROPRIATE MEASUREMENT (DISTANCE, PERCENTAGE, ETC.)

**THE DEVELOPMENT SERVICES STAFF WILL DETERMINE THE AGENDA FOR EACH OF THE PUBLIC HEARING DATES. BASED ON THE SIZE OF THE AGENDA, YOUR APPLICATION MAY BE RESCHEDULED TO A LATER DATE.**

APPLICANT (PRINT) NEAL COOPER

APPLICANT SIGNATURE 

OWNER (PRINT) COOPER STREET HOMES

OWNER SIGNATURE 



The State of Texas

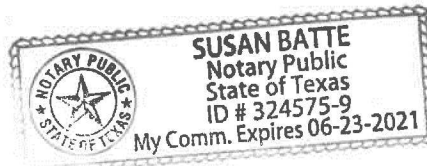
County of Tarrant

Before me Susan Batte on this day personally appeared Neal Cooper known to me (or proved to me on the oath of \_\_\_\_\_ or through \_\_\_\_\_ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 13<sup>th</sup> day of December, A.D. 2018.

SEAL

Susan Batte  
Notary Signature



The State of \_\_\_\_\_

County of \_\_\_\_\_

Before me \_\_\_\_\_ on this day personally appeared \_\_\_\_\_ known to me (or proved to me on the oath of \_\_\_\_\_ or through \_\_\_\_\_ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Signature



**2019**  
**CITY OF GRAPEVINE**  
**BOARD OF ZONING ADJUSTMENTS**  
**MEETING AGENDA SCHEDULE**

MEETING DATES	FILING DEADLINE First Monday of the month
January 7, 2019	December 3, 2018
February 4, 2019	January 7, 2019
March 4, 2019	February 4, 2019
April 1, 2019	March 4, 2019
May 6, 2019	April 1, 2019
June 3, 2019	May 6, 2019
July 1, 2019	June 3, 2019
August 5, 2019	July 1, 2019
September 9, 2019 <small>2<sup>nd</sup> Monday due to Holiday on 2nd</small>	August 5, 2019
October 7, 2019	September 3, 2019
November 4, 2019	October 7, 2019
December 2, 2019	November 4, 2019
January 6, 2020	December 2, 2019

**THE DEVELOPMENT SERVICES STAFF WILL DETERMINE  
THE AGENDA FOR EACH OF THE PUBLIC HEARING DATES.  
BASED ON THE SIZE OF THE AGENDA, YOUR APPLICATION  
MAY BE RESCHEDULED TO A LATER DATE.**

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met on Monday evening, October 1, 2018, at 6:00 P.M. in the Planning and Zoning Conference Room, 2<sup>nd</sup> Floor, 200 South Main Street, Grapevine, Texas, for a Briefing Session with the following members present to wit:

George Dalton	Chairman
Tracey Dierolf	Vice-Chairman
John Sheppard	Secretary
Ben Johnson	Member
Doug Anderson	Member
D. Todd Parrish	Alternate
Jonathan Gaspard	Alternate

constituting a quorum. Also present was City Council Representative Sharron Rogers and the following City Staff:

Ron Stombaugh	Development Services Assistant Director
Albert Triplett	Planner II
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman George Dalton called the Briefing Session of the Board of Zoning Adjustment to order at approximately 6:00 P.M.

NEW BUSINESS

Mr. Stombaugh briefed the Board of Zoning Adjustment regarding the item scheduled to be heard in the regular public hearing.

ADJOURNMENT

With no further discussion, Tracey Dierolf made a motion to adjourn. John Sheppard seconded the motion which prevailed by the following vote:

Ayes:	Dalton, Dierolf, Sheppard, Johnson, Anderson, Parrish, Gaspard
Nays:	None
Absent:	None



The Briefing Session was adjourned at approximately 6:15 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE  
CITY OF GRAPEVINE, TEXAS, ON THE 7TH DAY OF JANUARY 2019.

APPROVED:

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CHAIRMAN

---

SECRETARY

STATE OF TEXAS  
COUNTY OF TARRANT  
CITY OF GRAPEVINE

The Board of Zoning Adjustment for the City of Grapevine, Texas, met in regular session, Monday evening, October 1, 2018 at 6:15 P.M., in the Council Chambers, 2<sup>nd</sup> Floor, 200 South Main Street, Grapevine, Texas with the following members present:

George Dalton	Chairman
Tracey Dierolf	Vice-Chairman
John Sheppard	Secretary
Ben Johnson	Member
Doug Anderson	Member

constituting a quorum. Also present was City Council Representative Sharron Rogers and the following City Staff:

Ron Stombaugh	Development Services Assistant Director
Albert Triplett	Planner II
Connie Cook	Development Services Assistant

CALL TO ORDER

Chairman George Dalton called the Public Hearing Session of the Board of Zoning Adjustment to order at approximately 6:15 P.M.

PUBLIC HEARING

**BOARD OF ZONING ADJUSTMENT CASE BZA18-08, JOSH ARCHER, 314 EAST FRANKLIN STREET**

The first item for the Board of Zoning Adjustment to consider was BZA18-08 submitted by Josh Archer for property located at 314 East Franklin Street, platted as the east 70.16 feet of Lot 2, plus 12 feet of an abandoned alley, Block 30, City of Grapevine Addition.

**Section 43.E.3, Nonconforming Uses and Structures allows the Board of Zoning Adjustment to approve the remodeling and/or enlargement of a nonconforming use.** The applicant requested a special exception allowing the replacement of the existing residential structure with a new structure along with a new detached garage as shown on the site plan.

Mr. Stombaugh explained that Staff found a special condition existed for the requested special exception. Specifically, the existing dwelling was built in 1940 predating the City's first zoning ordinance adopted in 1955. Currently and as proposed the site was noncompliant with the current zoning ordinance (82-73) relative to the front yard setback and the rear yard setback for a proposed detached garage.

Mr. Stombaugh stated that the plot plan depicted existing and proposed conditions. The existing dwelling encroached five-feet (5') into the required thirty-foot (30') front yard setback and would be demolished. The existing detached accessory structure would be decreased and would meet the setback requirement of three-feet (3') from the rear property line.

The new dwelling as proposed encroached four-feet (4') into the required thirty-foot (30') front yard setback but did not exacerbate the existing condition. The detached garage proposed, encroached three-feet (3') into the required side and rear yard setback of six-feet (6) but continued to maintain the rear yard established by the existing accessory structure immediately to the east.

With no questions for Mr. Stombaugh, Josh Archer of M.J. Wright and Associates, 8223 Mid Cities Blvd #A, North Richland Hills, Texas, representing property owner Allan Paxton, took the Oath of Truth: he gave a brief presentation to the Board and requested favorable consideration of his request and offered to answer any questions of the Board.

Vice-Chairman Dierolf asked Mr. Archer why the structure had not been designed to be conforming since it was new construction. Mr. Archer stated that the lot had been very challenging with a long history with HPC regarding an existing historic accessory structure as well as maintaining a rear yard. Vice-Chairman Dierolf asked why the driveway was for one car and the detached garage had been designed for two cars. Mr. Archer stated that a single driveway maintained a larger rear yard.

John Sheppard asked Mr. Archer if a smaller structure had been considered or an addition of a second story might accomplish the larger rear yard that was wanted. Mr. Archer stated that a second story was frowned upon by HPC. The couple had retired and a two-story structure would be more home than needed.

Vice-Chairman Dierolf announced that one (1) letter of opposition had been received.

With no questions for Mr. Archer and no additional speakers, Jerrold Sklar made a motion to close the public hearing. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes:	Dalton, Dierolf, Sheppard, Johnson, Anderson
Nays:	None
Absent:	None

Jerrold Sklar made a motion that a special condition existed for the requested special exception. Specifically, the existing dwelling was built in 1940 predating the City's first zoning ordinance adopted in 1955. Currently and as proposed the site was noncompliant with the current zoning ordinance (82-73) relative to the front yard setback and the rear yard setback for a proposed detached garage. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes:	Dalton, Dierolf, Sheppard, Johnson, Anderson
Nays:	None
Absent:	None

Jerrold Sklar then made a motion to grant the following special exception with regard to Section 43.E.3, Nonconforming Uses and Structures allowing the existing residential structure be replaced with a new residential structure along with a new detached garage as shown on the plot plan. Ben Johnson seconded the motion which prevailed by the following vote:

Ayes: Dalton, Dierolf, Sheppard, Johnson, Anderson  
Nays: None  
Absent: None

### MINUTES

Next the Board of Zoning Adjustment considered the minutes of the August 6, 2018, Briefing Session and Public Hearing.

John Sheppard made a motion to accept the minutes with the correction to the Public Hearing minutes to reflect "Chairman Dalton called the Public Hearing Session of the Board of Zoning Adjustment to order. Tracey Dierolf seconded the motion which prevailed by the following vote:

Ayes: Dalton, Dierolf, Sheppard, Johnson, Anderson  
Nays: None  
Absent: None

### ADJOURNMENT

With no further discussion, Doug Anderson made a motion to adjourn. Tracey Dierolf seconded the motion, which prevailed by the following vote:

Ayes: Dalton, Dierolf, Sheppard, Johnson, Anderson  
Nays: None  
Absent: None

The meeting was adjourned at approximately 6:35 P.M.

PASSED AND APPROVED BY THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF GRAPEVINE, TEXAS, ON THE 7TH DAY OF JANUARY 2019.

APPROVED:

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CHAIRMAN

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SECRETARY